



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Wei-Tse HSU )  
Serial No.: 10/714,925 ) Group: unknown  
Filing Date: November 17, 2003 ) Examiner: unknown  
(as amended) )  
Our ref.: B-5298 621492-4  
For: "OPTICAL DRIVE WITH SWITCHING )  
SPEEDS AND SWITCHING METHOD ) Date: December 5, 2003  
THEREOF"

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPEDITED PROCEDURE**

Sir:

**PETITION UNDER 37 C.F.R. § 1.10**

The subject application was submitted pursuant to the Express Mail Procedure of 37 CFR 1.10. The application was deposited with the United States Postal Service (USPS) in an Express Mail envelope with sufficient postage for Express Mailing on November 17, 2003 pursuant to 37 CFR 1.10, but the returned postcard (copy enclosed) indicates that the United States Patent and Trademark Office (USPTO) considered the filing date to be November 18, 2003.

Enclosed is a copy of the new application transmittal letter from our files. The new application transmittal letter contains a Certification of Express Mailing Date under 37 CFR 1.10 and proper reference to Express Mail Label Number EV301025157US as required by Section 1.10. This information is also contained in the files of the United States Patent and Trademark Office.

Avelyn Malonzo, the person mailing the papers pursuant to 37 CFR 1.10, has signed a verified statement that the new application was deposited with the USPS in an Express Mail envelope with sufficient postage for Express Mailing on November 17, 2003. The signed verified statement signed by Avelyn Malonzo is attached.

Petition Under 37 C.F.R. 1.10  
U.S. Patent Appln. No. 10/714,925  
Page 2

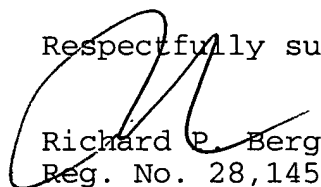
Also attached are copies of the Express Mail Label Number EV301025157US returned from the USPS and the receipt from the USPS Bicentennial Station which also indicates the Express Mail Label Number. It should be noted that the "sign in" clerk at the USPS indicated the "date in" to be November 17, 2003 on the Express Mail Label.

Applicant has complied with the requirements of 37 CFR 1.10 and is entitled to a filing date of November 17, 2003. Therefore, please update all of the records in the USPTO to indicate that the filing date of the above-identified application is November 17, 2003; and please advise us in writing that the USPTO considers

**November 17, 2003**

to be the filing date of the above-identified U.S. application. This correction is not due to any error by the Applicant; therefore, no official fee should be due. The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415.

Respectfully submitted,



Richard P. Berg  
Reg. No. 28,145  
Attorney for Applicant  
LADAS & PARRY  
5670 Wilshire Boulevard, #2100  
Los Angeles, California 90036  
(323) 934-2300

Enclosures: copy of returned postcard  
Verified Statement signed by Avelyne Malonzo  
copy of new application transmittal letter  
copy of the Express Mail Receipt from the USPS with  
copy of receipt from USPS Bicentennial Station

Petition Under 37 C.F.R. 1.10  
U.S. Patent Appln. No. 10/714,925  
Page 3

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to:

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313, on  
December 5, 2003

By: Avelyne Malonzo  
Avelyne Malonzo



Petition Under 37 C.F.R. 1.10  
U.S. Patent Appln. No. 10/714,925  
Page 4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Wei-Tse HSU )  
 )  
Serial No.: 10/714925 ) Group: unknown  
 )  
Filing Date: November 17, 2003 ) Examiner: unknown  
(as amended) )  
 ) Our ref.: B-5298 621492-4  
For: "OPTICAL DRIVE WITH SWITCHING )  
SPEEDS AND SWITCHING METHOD ) Date: December 5, 2003  
THEREOF"

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**VERIFICATION**

I am the person who mailed the above-identified application pursuant to 37 CFR. 1.10 on November 17, 2003; and I verify that the subject application with all of the items required under 35 U.S.C. 371 were deposited with the United States Postal Service in an Express Mail envelope with sufficient postage for Express Mailing on November 17, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: December 5, 2003

  
Avelyn Malonzo

To: USPD (aem)  
FROM: **COMMISSIONER OF THE PATENTS**  
**THE PATENT AND TRADEMARK OFFICE**  
MAIL ROOM STAMP HEREON ACKNOWLEDGES  
RECEIPT OF: New U.S. Patent Appln., consisting of  
Transmittal letter with Certification under 37 CFR 1.10  
(3 pages); check no. 18029 in the amount of \$770.00;  
13 pages of Specification, 5 pages of Claims, 1 page of  
Abstract; Declaration (6 pages); Power of Attorney  
(2 pages); 4 Sheets of formal drawings (Figs. 1-2, 3a-3b); Claim to Priority (1 page)  
with Certified Copy of Taiwanese Application No. 91133955; Assignment Cover  
Sheet (1 page), Assignment document (1 page), and Check No. 18030 for \$40.00;  
and this postcard.

Our reference:  
**B-5298 621492-4**

Date mailed:  
**November 17, 2003**

Express Mail No.:  
**EV301025157US**

IN CONNECTION WITH:  
**Wei-Tse HSU**

16834 U.S. PTO  
10/714925



STAMP

FOR: "OPTICAL DRIVE WITH SWITCHING  
ROTATIONAL SPEEDS AND SWITCHING  
METHOD THEREOF"

SHOULD BE: 11/17/03



EV 301025157 US



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## ORIGIN (POSTAL USE ONLY)

PO ZIP Code 90048	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 11-17-03	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 13.65
Time In 6:01	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Return Receipt Fee
Weight 11.20 lbs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials MK	Total Postage & Fees \$ 13.65

## DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. (With delivery made without obtaining signature of addressee or addressee's agent, in delivery employee judges that article can be left in secure location) and authorize that delivery employee's signature constitutes valid proof of delivery.		
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

## CUSTOMER USE ONLY

METHOD OF PAYMENT:  
Express Mail Corporate Acct. No.Federal Agency Acct. No. or  
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE 323 934 2300

LADAS & PARRY  
5670 WILSHIRE BLVD STE 2100  
LOS ANGELES CA 90036-3620

B-5298 621492-4

/aem

TO: (PLEASE PRINT)

PHONE ( )

MAILSTOP PATENT APPLICATIONS  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA VA 22313-1450

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11/17/2003

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LOS ANGELES, California  
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0545300048-0095  
(323)933-5953 06:03:03 PM

Product Description	Sale Qty	Unit Price	Final Price
ALEXANDRIA VA 22313			\$17.85
Express Mail PO-ADD			
Serial Number EV301025885US			
2nd Day Noon / Normal			
Delivery			
Customer Postage			
Subtotal:			-\$17.85
ALEXANDRIA VA 22313			\$0.00
Express Mail PO-ADD			
Serial Number EV301025863US			
2nd Day Noon / Normal			
Delivery			
Customer Postage			
Subtotal:			-\$13.65
ALEXANDRIA VA 22313			\$0.00
Express Mail PO-ADD			
Serial Number EV336608799US			
2nd Day Noon / Normal			
Delivery			
Customer Postage			
Subtotal:			-\$13.65
Total:			\$0.00
Paid by:			
Bill #: 1000500648893			
Clerk: 17			

— All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.  
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6. Small Entity Statement

☐ Verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27.

Filing Fee Calculation (50% of above) \$ \_\_\_\_\_

NOTE: If a verified statement is filed within 2 months of the date of payment of first fee then the excess fee paid will be refunded on request. Notice of January 20, 1983. 1027 TMOG 114.

7. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is submitted. This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.

NOTE: Where the filing is a completion in the U.S. of an international application the fee must be paid.

☒ Enclosed

☒ filing fee \$ 770.00

☐ recording assignment (\$40.00; 37 CFR 1.21(h)(i)) \$ \_\_\_\_\_

☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. 37 CFR 1.47 and 1.17 (h) \$ \_\_\_\_\_

Total fees enclosed \$ 770.00

8. Method of Payment of Fees

☒ check in the amount of \$ 770.00

☐ charge account No. 12-0415 in the amount of \$ \_\_\_\_\_  
A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

9. Authorization to Charge Additional fees

☒ The Commissioner is hereby authorized to charge the following additional fees which may be required to Account No. 12-0415:

☒ 37 CFR 1.16 (filing fees and presentation of extra claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before Mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

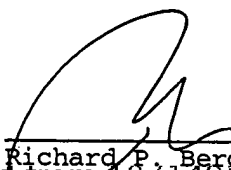
NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application...prior to paying... issue fee".

10. Instructions As To Overpayment

☒ Credit Account No. 12-0415 ☐ refund

c/o LADAS & PARRY  
5670 Wilshire Boulevard  
Suite 2100  
Los Angeles, California 90036-5679

Telephone: (323) 934-2300  
Telefax: (323) 934-0202

  
Richard P. Berg  
Copied 10/14/92 on 13-02-2004  
Reg. No. 28,145

Date: November 17, 2003

DEC 10 2003

Major Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): (1) Wei-Tse HSU

NOTE: Patent must be applied for in the name of all  
of the actual inventor or inventors.

For: "OPTICAL DRIVE WITH SWITCHING ROTATIONAL SPEEDS AND SWITCHING  
METHOD THEREOF"

Enclosed are:

1. **The Papers Required For Filing Date Under 37 CFR 1.53(b):**13 Pages of specification 1 Page of abstract 5 Pages of claims4 Sheets of drawings [X] formal [ ] informal  
(Figs. 1-2, 3a-3b)

[X] In addition to the above papers there is also attached

[ ]        Pages of a Preliminary Amendment dated                     

[X] Postcard

[X] Check for filing fee in the amount of \$ 770.00

[X] Declaration (6 pages)

[X] Power of Attorney by Assignee of Entire Interest (2 pages)

[ ] Verified Statement Claiming Small Entity Status--  
Small-Business Concern (1 page)

[ ] Cross-Reference To Related Application(s) (1 page)

2. [X] Claim to Priority (1 page) with

[X] Certified Copy of Taiwanese Application No. 91133955

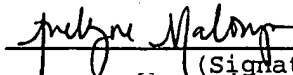
[ ] Information Disclosure Statement (2 pages) and  
Form PTO-1449 (modified) (1 page), with copies of documents  
cited in Form PTO-1449 (modified)[X] Assignment Cover Sheet (1 page), Assignment document (1 page),  
and Check for \$40.00**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this paper and the documents referred to as enclosed  
therein are being deposited with the United States Postal Service in an Express  
Mail envelope with sufficient postage for Express Mailing on this date November  
17, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label  
Number EV301025157US addressed to the:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Avelyne Malonzo

(Typed or printed name of person mailing paper)



(Signature of person mailing paper)

Copied from 10/14925 on 13-02-2004

NOTE: Each paper or fee referred to as enclosed herein  
has the number of the "Express Mail" mailing label



## 2. Declaration or oath

☒ Enclosed

☒ original

☐ facsimile

executed by:

☒ inventor(s)

☐ legal representative of inventor(s) 37 CFR 1.42 or 1.43

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached. 37 CFR 1.47.

☐ petition and statement required by 37 CFR 1.47 also attached. See item 7 below for fee.

☐ Not Enclosed

☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.

☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d)).

NOTE: Where the filing is a completion in the U.S. of an international application under 35 U.S.C. 371(c)(4) then the declaration must be filed.

## 3. Assignment

☒ An assignment of the invention to BENQ CORPORATION

(with separate cover sheet and separate check for \$40.00)

## 4. Certified Copies

☒ A certified copy of Taiwanese Application Number 91133955 from which priority is claimed.

NOTE: Must be referred to in oath or declaration. 37 CFR 1.55 and 163.

## 5. Fee Calculation

CLAIMS	AS FILED		
Number Filed	Number Extra	Rate	Basic Fee \$ 770.00
Total Claims 15 -20=	0 x	\$ 18.00	0
Independent Claims 2 -3=	0 x	\$ 86.00	0
Multiple Dependent Claim(s), If Any	0 x	\$290.00	0

☐ Amendment canceling extra claims enclosed

☐ Amendment deleting multiple dependencies enclosed

☐ Fee for extra claims is not being paid at this time

NOTE: If the fee for extra claims are not paid on filing they must be paid or the claims canceled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency, 37 CFR 1.16(d).

Filing Fee Calculation \$ 770.00

Copied from 10/14925 on 13-02-2004